

REMARKS**Summary of the Office Action**

Claims 1, 2 and 5-7 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated over Kwong (U.S. Patent Application Publication No. 2003/0054197) (hereinafter "Kwong").

Summary of the Response to the Office Action

Applicants have newly-amended independent claim 1 to differently describe embodiments of the disclosure of the instant application. Accordingly, claims 1-2 and 5-7 remain currently pending and under consideration.

Rejections under 35 U.S.C. § 102(b)

Claims 1, 2 and 5-7 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated over Kwong. Applicants have newly-amended independent claim 1 to differently describe embodiments of the disclosure of the instant application. To the extent that these rejections might be deemed to still apply to the claims as newly-amended, they are respectfully traversed for at least the following reasons.

Applicants respectfully submit that a first feature in newly-amended independent claim 1 of the "first temperature of 107°C" is supported at least by original claim 3 of the instant application. Second, independent claim 1 has been newly-amended to describe the "third layer being ... sandwiched directly between the first and second layers." Applicants respectfully

submit that this amended portion of independent claim 1 is supported by the specification of the instant application, taken in its entirety. More specifically, Applicants refer, for example, to Example 6 (CuPC Tg => 300°C, NPD Tg=96°C, Host Tg=113°C, Alq3 Tg=167°C), Example 4 (CuPC Tg=>300°C, HTM-C Tg=143°C, BAIq Tg=99°C, Alq3 Tg=167°C), and Example 3 (CuPC Tg=>300°C, HTM-A Tg=120°C, BAIq Tg=99°C, Alq3 Tg=167°C). Applicants note that each underlined portion in the above-mentioned examples is the third layer.

Applicants therefore believe that the rejection should be withdrawn because Kwong does not disclose a combination of features as described above with regard to newly-amended independent claim 1 of the instant application. Instead, Applicants respectfully submit that Kwong merely discloses a comparative 4 (CuPC Tg=>300°C, NPD Tg=96°C, BAIq Tg=99°C, Alq3 Tg=167°C) as shown in the present specification.

Accordingly, Applicants respectfully assert that the rejections under 35 U.S.C. § 102(b) should be withdrawn because Kwong does not teach or suggest each feature of the combination of features of newly-amended independent claim 1 of the instant application. As pointed out in MPEP § 2131, "[t]o anticipate a claim, the reference must teach every element of the claim." Thus, "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Verdegaal Bros. v. Union Oil Co. Of California, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987)."

Furthermore, Applicants respectfully assert that the dependent claims 2 and 5-7 are allowable at least because of their dependence from independent claim 1, and the reasons discussed previously.

Request that the Examiner List Kwong on a PTO-892 Form

The Examiner has applied Kwong in more than one Office Action to date in this application. However, it appears that the Examiner has never listed Kwong on a PTO-892 Form in this application. **Accordingly, the Examiner is respectfully requested to list Kwong (U.S. Patent Application Publication No. 2003/0054197) on a PTO-892 Form and to attach such a Form to the next Office Communication to be mailed in this application.** If Applicants' understanding is incorrect in this regard, the Examiner is requested to provide clarification in the next Office Communication.

CONCLUSION

In view of the foregoing amendments and remarks, withdrawal of the rejections and allowance of all pending claims are earnestly solicited. Should the Examiner feel that there are any issues outstanding after consideration of this response; the Examiner is invited to contact Applicants' undersigned representative to expedite prosecution. A favorable action is awaited.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including

any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573.

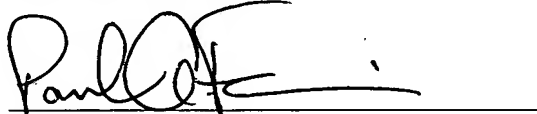
This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

DRINKER, BIDDLE & REATH LLP

Dated: August 19, 2010

By:



Paul A. Fournier

Reg. No.: 41,023

CUSTOMER NO. 55694

DRINKER, BIDDLE & REATH LLP

1500 K Street, N.W., Suite 1100

Washington, D.C. 20005-1209

Tel: (202) 842-8800

Fax: (202)-204-0289